

REMARKS

Restriction is required under 35 U.S.C. 121 and 372. In accordance with 37 CFR 1.499, applicant is required to elect a single invention to which the claims must be restricted. The application was found to contain the following inventions or groups of inventions which are allegedly not so linked as to form a single general inventive concept under PCT Rule 13.1:

Claims 1-3 and 9-15 are linking claims for Groups I-V.

- Group I: Claims 4, 16 and 36, drawn to CD4+ CMRF-35++ CD45RO+ T-cells.
- Group II: Claims 5 and 17, drawn to CD4+ CMRF-35+ CD45RO+ T-cells.
- Group III: Claims 6 and 18, drawn to CD4+ CMRF-35- CD45RO+ T-cells.
- Group IV: Claims 7 and 19, drawn to CD4+ CMRF-35+ CD45RO- T-cells.
- Group V: Claims 8 and 20, drawn to CD4+ CMRF-35- CD45RO- T-cells.

Claims 21-23 and 29-33 are linking claims for Groups VI-X.

- Group VI: Claims 24 and 37, drawn to a method for assessing the immunological potential of a subject said method comprising obtaining a sample from said subject comprising T-cells and subjecting the sample to cell surface discrimination means to determine the presence, absence or level of CD4+ CMRF -35++ CD45RO+ CXCR3+ T -cells.
- Group VII: Claim 25, drawn to a method for assessing the immunological potential of a subject said method comprising obtaining a sample from said subject comprising T-cells and subjecting the sample to cell surface discrimination means to determine the presence, absence or level of CD4+ CMRF-35+ CD45RO+ T -cells.
- Group VIII: Claim 26, drawn to a method for assessing the immunological potential of a subject said method comprising obtaining a sample from said subject comprising T-cells and subjecting the sample to cell surface discrimination means to determine the presence, absence or level of CD4+ CMRF-35- CD45RO+ T-cells.
- Group IX: Claim 27, drawn to a method for assessing the immunological potential of a subject said method comprising obtaining a sample from said subject

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comprising T-cells and subjecting the sample to cell surface discrimination means to determine the presence, absence or level of drawn to CD4+ CMRF-35+ CD45RO- T-cells.

- Group X: Claim 28, drawn to a method for assessing the immunological potential of a subject said method comprising obtaining a sample from said subject comprising T -cells and subjecting the sample to cell surface discrimination means to determine the presence, absence or level of CD4+ CMRF-35- CD45RO- T-cells.
- Group XI: Claims 34 and 35, drawn to a computer program product and a computer making use of said computer program product for assessing the presence or absence or level of a sub-population of CD4+ T -cells said product comprising: (i) code that receives, as input values, the identity of a reporter molecule associated with a labeled antibody which recognizes one of a CMRF-35 epitope or CD45RO marker; (ii) code that compares said input values with reference values to determine the level of CMRF-35 epitope or CD45RO; and (iii) a computer readable medium that stores the codes.

Response to Restriction Requirement

In response to the Restriction Requirement, Applicants elect Group VI, encompassing Claims 24 and 37, drawn to a method for assessing the immunological potential of a subject said method comprising obtaining a sample from said subject comprising T-cells and subjecting the sample to cell surface discrimination means to determine the presence, absence or level of CD4+ CMRF -35++ CD45RO+ CXCR3+ T -cells.

Response to Election of Species Requirement

In response to the election of species requirement, applicants elect subjects having psoriasis as recited in Claim 32. Currently Claims 21-24, 29, 31, 32 and 37 read upon the elected species.

Upon allowance of a generic claim, applicants will be entitled to consideration of claims to additional species, which depend from or otherwise require all the limitations of an allowable generic claim as provided by 37 C.F.R. § 1.141.

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Linking Claims

Claims 21-23 and 29-33 link the inventions of Groups VI-X. Thus, the Applicants understand that Claims 21-24, 29-33 and 37 will initially be examined, and that the claims of Groups VII-X will be examined upon the allowance of the linking claims..

No Disclaimers or Disavowals

Although the present communication may include alterations to the application or claims, or characterizations of claim scope or referenced art, the Applicants are not conceding in this application that previously pending claims are not patentable over the cited references. Rather, any alterations or characterizations are being made to facilitate expeditious prosecution of this application. The Applicants reserve the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically disclaimed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child or related prosecution history shall not reasonably infer that the Applicants have made any disclaimers or disavowals of any subject matter supported by the present application.

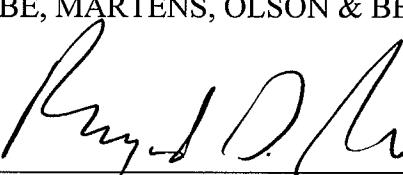
Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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